

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

EMG TECHNOLOGY, LLC,

Plaintiff,

v.

MICROSOFT CORPORATION, *et al.*,

Defendants.

Case No. 6:09-cv-367-LED

JURY TRIAL DEMANDED

STIPULATION FOR DISMISSAL WITH PREJUDICE

The Plaintiff, EMG Technology, LLC, and Defendant Zagat Survey, LLC, pursuant to Fed. R. Civ. P. 41(a)(2) and (c), hereby move for an order dismissing all claims and counterclaims between them in this action WITH PREJUDICE, with each party to bear its own costs, expenses and attorneys' fees.

DATED: November 29, 2010

Respectfully Submitted,

By: /s/ Michael E. Jones w/ permission by
Charles Ainsworth

By: /s/Charles Ainsworth

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CERTIFICATE OF SERVICE

I hereby certify that all counsel of record, who are deemed to have consented to electronic service are being served this 29th day of November, 2010, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Charles Ainsworth
CHARLES AINSWORTH